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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,515	12/20/2004	Dietmar Fauser	0518-1082-1	8388

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YOUNG & THOMPSON
209 Madison Street
Suite 500
ALEXANDRIA, VA 22314

EXAMINER

JOSEPH, TONYA S

ART UNIT	PAPER NUMBER
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3628

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/518,515	Applicant(s) FAUSER ET AL.	
	Examiner TONYA JOSEPH	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/20/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

4. Claim 1 recites the limitation "the reservations in question" in lines 5 and 17.

There is insufficient antecedent basis for this limitation in the claim.

5. Claim 1 recites the limitation "it" in lines 6 and 9. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 1 recites the limitation, " the reservations in question by aircraft scheduling changes are reassigned to update the reservation inventory database". It is unclear, due to the lack of antecedent basis, what reservations Applicant is referring to. For Examination purposes, Examiner is interpreting, reassigning reservations impacted by the aircraft scheduling changes as meeting the limitations of the claim.

7. Claim 1 further recites the limitation, "simulation of reassignment of the reservations in question prior to the schedule changes..." It is unclear, due to the lack of antecedent basis, what reservations Applicant is referring to. For Examination purposes,

Examiner is interpreting, simulating the reassigning of reservations prior to the scheduling changes as meeting the limitations of the claim.

8. Claim 1 further recites the limitation, "extracting from the group of changes that it contains and storing in a record as future schedule records..." It is unclear what is being extracted from the group of changes. For Examination purposes, Examiner is interpreting extracting information from the group of changes and storing said information in a record as a future schedule record as meeting the limitation of the claim.

9. Applicant uses the term future schedule records (FSR) throughout the claim language. It is unclear whether future schedule records refers to mere data or some other device. For Examination purposes, Examiner is interpreting FSR to be mere stored data.

10. Claim 4 recites the limitation, "a characteristic suffix (SL) is assigned to the changes to be stored as future schedule records (FSR)." The plain meaning of the limitation is unclear. For Examination purposes, Examiner is interpreting a characteristic suffix (SL) being assigned to future records as meeting the limitations of the claim.

Specification

11. Claims 14 and 17 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 15 and 18 respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barlow U.S. Patent No. 6,418,413 in view of Official Notice.

14. As per Claim 1, Barlow teaches the flight schedule database is updated (see Col. 2 lines 12-16);

the reservations in question by aircraft scheduling changes are reassigned to update the reservation inventory database (see Col. 5 lines 8-15)

characterized by the fact that it comprises the following steps:

reception of at least one group of changes containing aircraft scheduling change data (see Col. 3 lines 45-54),

extracting from the group of changes that it contains and storing in a record as future schedule records (FSR) (see Col. 3 lines 54-65).

connecting the future schedule record (FSR) and a reservation distribution server (see Col. 3 lines 54-65),

simulation of reassignment of the reservations in question prior to the scheduling

changes, by access of the reservation distribution server both to the records (FSR) and to the flight schedule database (see Col. 4 lines 1-5 and Col. 5 lines 8-15), Barlow does

not explicitly teach final updating of the flight schedule and reservation inventory databases. Official Notice is taken that finally updating databases with information is old and well known. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Barlow to include the teachings of Official Notice to invoke actual changes in a system.

15. As per Claim 2, Barlow in view of Official Notice teaches the method of claim 1 as described above. Barlow further teaches that there is used a graphical user interface (see Col. 3 lines 65-67 and Col. 4 lines 1-6). The limitation, “for verification of the changes extracted from the group of changes is merely a statement of intended use and as such is afforded little patentable weight.

16. As per Claims 3 and 10, Barlow in view of Official Notice teaches the method of claim 1 as described above. Barlow further teaches that there is used a graphical user interface (see Col. 3 lines 65-67 and Col. 4 lines 1-6). The limitation, “for the validation of the reservation reassignments.” is merely a statement of intended use and as such is afforded little patentable weight.

17. As per Claims 4 and 11-12, Barlow in view of Official Notice teaches the method of claim 1 as described above. The limitation, “a characteristic suffix (SL) is assigned to the changes to be stored as future schedule records (FSR)” is considered non-functional descriptive material as it has no functional use in the remaining method steps and is afforded little patentable weight.

18. As per Claims 5 and 13-15, Barlow in view of Official Notice teaches the method of claim 4 as described above. Barlow further teaches that there is assigned to each

record (FSR) an argument (FSR is published) indicating whether this record (FSR) has been made accessible to the reservation distribution server (see Col. 2 lines 16-24, Examiner is interpreting the CSR being able to make evaluations as an indication that a record has been made accessible).

19. As per Claim 6, Barlow in view of Official Notice teaches the method of claim 4 as described above. Barlow further teaches for each extracted change: the flight periods of the flight schedule database affected by the change, are opened (see Col. 2 lines 55-60); if said period has not already been affected by one change whose argument (FSR is published) is positive (see Col. 5 lines 45-65); a scheduling change message is sent (see Col. 4 lines 25-32); it is indicated that the change is a record accessible to the reservation distribution server, by placing its argument (FSR is published) in the positive state (see Col. 4 lines 40-45, Examiner is interpreting the CRS executing options as having accessed a change record). Barlow does not explicitly teach said period is duplicated and the suffix (SL) is assigned to the duplicated period. Official Notice is taken that duplicated a period and assigning an identifier to not this change is old and well known. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Barlow to include the teachings of Official Notice to denote a change. The limitation, "to integrate the change in the duplicated period that it affects" is merely a statement of intended result and as such is afforded little patentable weight.

20. As per Claims 7 and 16, Barlow in view of Official Notice teaches the method of claim 1 as described above. Barlow further teaches upon simulation of reassignment,

there is attributed to each record a degree of dependence as a function of the number of other records in cascade for which an application of said record gives rise to a reassignment of the reservations on said other records (see Col. 4 lines 66-67 and Col. 5 lines 1-7).

21. As per Claim 8, Barlow in view of Official Notice teaches the method of claim 7 as described above. Barlow further teaches in the case of cyclical dependence between several records, upon the execution of the reassignment operations in the reservation system, there is modified only once each reservation in question by the assembly of these reassignments (see Col. Col. 5 lines 33-35 and lines 53-57).

22. As per Claim 9, Barlow in view of Official notice teaches the method of claim 1 as described above. Barlow does not explicitly teach the records (FSR) are deleted after final updating of the flight schedule and the reservation inventory databases. Official Notice is taken that deleting data after it has been applied is old and well known. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Barlow to further include the teachings of Official Notice to free up storage space.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TONYA JOSEPH whose telephone number is (571)270-1361. The examiner can normally be reached on Mon-Fri 7:30am-5:00pm First Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571 272 0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tonya Joseph
Examiner
Art Unit 3628

/JOHN W HAYES/
Supervisory Patent Examiner, Art Unit 3628